G.R.S. 57.]

File No. 197-07
Serial Nos. 1-3

190 .

GENERAL AND REVENUE SECRETARIAT.

(Courts -)

Part A: Manuscript
for Dec. 1910.

Amount of fee leviable on Khetwar Extracts (R. A. Subject No 27 of 1907)

Serial Nos. 1-3

1. To the Revenue Commissioner in Nagpur no 12236 dt 24-10-1907.
Requests him to favour Govt with information as to the practice obtaining in the several districts with regard to the amount of fees demanded for Khetwar extracts together with his own opinion on the matter.

2. From the Revenue Commissioner in Nagpur no 7160/8+3 dt 2
Submitting letters from the Deputy Commissioners of districts regarding the amount of fee demanded f

GPB—5,000—20-3-06.

Khebwar extracts and also his own opinion in the matter.

3. To the Revenue Commissioner in Mysore, Registrar, Chief Court, Commissioner of Stamps Deputy Commissioner of Hassan D.C., Deputy Commissioner of other districts no J/184. 94 & 1392-4

I agree with the Revenue Commissioner that it is unfair to demand separate stamp fee in regard to each survey number comprised in a khata and lays down certain rule, for guidance

X

Previous reference.

Courts 127— 06. 1-2-7 May 07.

G.R.S. 11] 1907-08

GENERAL AND REVENUE SECRETARIAT.

(Courts.)

NOTES.

V
Cts. File No. 197-07

FILE HEADING.

Amount of fee leviable on Khetwar Extracts (R.A. Subject N° 27 of 1907)

From

No. Dated Received

Diary No. Enclos. Spare Copies Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

F.J.O.

NOTES—First sheet

GPB—30,000—3-4-07.

SUBJECT No. 27.

Production of khetwar extracts for attachment in Civil Courts.

Mr. Ramaswamaiengar, Hassan Taluk.

Summary of discussion.—(1) On a representation last year concerning the delay on the part of shanbhogs in supplying extracts of Revenue accounts for production before Civil Courts for attachment of properties, etc., orders were passed for the supply of extracts from taluk copies of the khetwar. For a copy of khetwar particulars, a fee of eight annas has to be paid for each survey number in a khate. In lieu thereof particulars of all survey numbers in a khate may be supplied on payment of eight annas.

(2) In Civil cases extracts of Revenue accounts are required to be presented before attachment. Orders may be passed to present such extracts with affidavits before the sale of such attached properties.

Reply of Government.—Noted for consideration.

Item N°(1) may be referred to Chief Co. for opinion.

With regard to point N°(2), The passing into law of the Code of Civil Procedure Bill now before the Imperial Legislative Council which contains an amendment to section 238 C.P.C may be awaited.

Submitted for orders.

Hes W
8/1/08. 8/1/08

1) The representation comes from a representative of Hassan - The Hassan deputy Comr may be asked whether a fee of eight annas is demanded in respect of each Survey number and if so, under what authority -

2) The passing into law of the C.P.C bill may be awaited.

Secy) 8.1.08 K. Nyler Rao

1) Ask the Rev Comr what the practice is in the several Dts + whether the Govt

6/1/08

G. R. S. 12]
General and Revenue Secretariat.

C4 File No. 197 of 1907-08

Serial No. 6

2) No action is necessary at present.
CSS 13/1/08

Rec'd 12/1/08

1) Submitted with a draft.
Hes 22.1.08 SN 22.1.08

8. Issue
23.1.08. Malur Rao

1 To the Revenue Commissioner in Mysore
No J2236 & 24.1.1908.

Requests him to favour Govt with information as to the practice obtaining in the several districts with regard to the amount of fee demanded for Khetwar extracts together with his own opinion in the matter.

Subs. The matter has not been replied to although 13 reminders have been issued. As there has been a long delay in the disposal of this case, orders are solicited as to whether a D.O. reminder may issue. Draft submitted for approval or for other orders.

Hes 6.9.08 SN 6/9/08

Regr

Wait for a fortnight more for issuing a D.O reminder. In the meanwhile a formal reminder may issue.
6.9.08

Work attended to.
Hes 8.9.08

NOTE:—Contn sheet.

GPB—50,000—17-3-07

G. R. S. 12]
General and Revenue Secretariat.

G. File No. 197 of 1907-08

Serial No.

Subd for orders. No reply has been received
Hcs CW
21.9.09 21/9/09
Issue fair copy Shd be sent to Secy for signature 21.9.09
for I wdy
Regr.

2. From the Revenue Commissioner in Mysore dated 21 Jan 1910.
Submitting letters from the D.Cs of Districts regarding the amount of fee demanded for Khetwar Extracts. (DRA Subject No 27 of 1907.) and also his own opinion in the matter
The D.C.s of Tumkur, Kadur, Chikaballapur & Kolar & Bangalore are in favour of the proposal that Khetwar Extracts Embracing all the Survey numbers in the holding of a khatedar in One village may be granted if a Stamp of Eight annas only is affixed.
Submitted for orders.

Dt V
K R Ramaswami

SW
31/1

10 The Members finance is this:- If an application for a Khata Extract is made a Court fee Stamp of only 8 annas (for every 200 words) is required

NOTE—Contn. sheet.

GPB—50,000—17-3-07

Serial No.	
	Whatever the number of Survey numbers comprised in the Khata whereas if applications for Khatwar Extracts are made as many Eight annas as there are Survey numbers in the Khata of the deeds in respect of which Copies are required are demanded Even though all these numbers may happen to be included in one and the same Khata The number is trying to Show to the Govt the disadvantage in parties being made to furnish Khatwar instead of Khata Extracts.
5	(Please see reply of Govt to D.R.A. Subject No. 31 of 06 in the file below 137-06
11	2 do not know if the parties are legally bound to produce Khatwar and not Khata Extracts See for the purposes of Sec 238 of the C. P. C. an Extract from the Khata account appears to be sufficiently authentic This is in fact the actual practice in all the Courts in the State
12	If we are to insist on the production only of Khatwar Extracts (and this we can not do except thro the

NOTE—Contn. sheet:

GPB—55,000—27-4-09

Serial No.

Chief Court) then it is only reasonable as pointed out by the Rev. Comm that only a single fee should be levied in respect of all the Survey numbers Comprised in one Khata. A Circular to this Effect may be issued with the Condition that the applicant should give in his appn a list of all the Survey numbers Comprised in one the Khata in question

13 (Note The new C. P. Code on the parties does not make it obligatory to produce these Extracts in Every Case. A discretion is to be given to the Courts The importance of this question with reference will therefore diminish when the new Bill becomes Law. May the question be 'Shelved' for the present?)

3/1/10 Srinivasa

Please see Order 21 Rule 14

Divisional subject of 1909

See 91/14

Why not adopt the rule suggested by the Revenue Commissioner in para 4 of his letter. Please put up draft adopting them

C Balasundaram 7/1/10

7/1/10

NOTE—Contn. sheet.

(GPB—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

File No. 137 of 1901

Serial No.

15

Draft Subd. HOR 12/2/10

19/2/10

Dewan through 2nd C

2938

HOR 24/2/10

Please alter the draft as indicated by me — by recasting the matter in rules —

28/2/10 Asst Nanjundayya

16

17

Submitted with a revised draft accordingly

HCS 3.3.1910 3/3/10

Subd to 2nd Cr. M Ramka Rao 5.3.10

18 I have altered the draft so as to make a Searching fee unnece

NOTE—Contn. sheet.

(GPB—55,000—27-4-09

Serial No.

sary when the copy of a Khata is required, as the Khata can be easily turned up. If the Khata is mentioned the survey numbers therein render it very easy to turn up the numbers in the Khatwar. I am therefore in favour of deleting the proviso altogether, so that no search fees at all may be levied. If this is not agreed to, the rules may be passed as recommended by the R.C.r drafted.

9

Hon. Ramjundayya

Dewan 4/3/10

4913 10/3/10

Sd 7/3/10.

I agree with the 2 Councillor. Circulate to the 1st Councillor also, for approval before final issue.

10/3

No 2 The proposed draft presumes that the Taluk

GPB—50,000—13-5-08

Serial No.

copy of the Khatawar will be written up to date always as efficiently as the Khata — This is seldom, if ever the case —

J. Chandra Rao
20/4/10

10

Circulate.

4/3
21/4/10

Sd
21/4/10

1907
25.4.10

21 The name of the Khatedar being mentioned the Khata can be easily turned up and the numbers in the Khatawar referred to.

22 The proviso regarding search fee may be left out.

23 In the mulkind the Khatas are very large, extending over nearly a whole village. The levy of a single stamp fee would look like a great sacrifice of revenue. Cannot a stamp be fixed to the number

-Contn. sheet.

GPB.—55,000—27-4-09

G. R. S. 12]
General and Revenue Secretariat.

CS File No. 197 of 1907

Serial No.

of Lectures to be made for a Single Stamp fee ? say 5 or 7 Lecture Numbers.

Mr Nallamuthu Chetty 25/4/10

Dewan ji.

5767 27/4/10

NB. 26/4/10

SH 26/4/10

Please circulate to Commissioners Vizag up at Council Meeting.

The case of Kheyyar is different from that in as much as Several papers & parts of the former will have to be turned up — quite as many as there are Lecture numbers & Unpriced Shares of Lecture Numbers.

Edwards Esq Vizag

Circulate for Vizag meeting

Secy 4/11/10

SH 4/11/10

7/11/10

NOTE—Contn.

GPB—55,000—27-4-09

8850
22.11.40

11

Extract from the Proceedings of the 257th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 14th, 15th, 16th & 18th November 1910.

6. Subject. -

Dasara Subject No.27 of 1907 regarding the stamp fee leviable on Khetwar extracts.

OPINION OF THE COUNCIL.

The draft order (appended) may be approved.

sd/- T. Ananda Rao.
Dewan of Mysore.

"Extract"

C S Balasundaram
Offg. Secretary to Government.

12

12

Submitted to His Highness.

y. 29

t the Dasara Representative Assembly of 1907, it was represented that the existing rules under which, when -- extracts have to be obtained from the Village Khetwar account a fee of 8 annas has to be paid for each survey number included in a khate, involved considerable hardship.

2. It is therefore proposed, in accordance with the Revenue Commissioner's recommendation, to rule that only one stamp fee shall be leviable in all such cases, in addition to any searching fee that may have to be paid under the rules.

30

× "Paper under disposal."

g. 31

3. The draft order annexed to the accompanying Council Resolution may be approved.

13

13.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Dasara Subject No. 27 of 1907 regarding the stamp fee leviable on khetwar extracts.

2.12.10. 1684.

14 3844

Order.

33 Approved KRW 7/12/10

Secy Std

Sec Secy

34 Issue

Slct

9/12/10

9/12/10

9/12/10

9/12/10

Serial No. 3

To the Revenue Commissioner in Mysore
" Registrar Chief Court
" Comm^r of Stamps
" Dy Comm^r Hassan District
" Dy Comm^rs of the Districts

No J/1784-94 & 13-12-10.

Agrees with the Revenue Commr that it is unfair to demand separate Stamp fees in regard to each Survey number comprised in a Khata and lays down certain rules for guidance.

15

GPB—55,000—27-4-09

[G.R.S. 26]

File No. 197/09

Serial No. 1

Diary No. of letter replied to _____

1 Letter No. J. 22360

From Secl to Govt Gen Dept dtd 24-1-08

General and Revenue Secretariat

( )

, *the* 190

To

The Revenue Commissioner

in Mysore

Date of issue 24-1-08

Signed by Mr K. Mylar Rao

Sir/

I am directed ~~to request the honor~~ to invite your attention to the marginally noted subject of the Representative Assembly Proceedings of 1907, and the reply of Govt. thereto, and to request that ~~he~~ you will be so good as to favour Govt. with information as to the practice obtaining in the several districts with regard to the amount of fee demanded in respect of each Survey number.

over.

Subject N° 27.

Production of Retwan extracts for attachment in Civil Courts.

Para (1). of the Summary of discussion.

16

SUBJECT.

Copied HR 23/1.

for the production of the two war extracts, together with his own opinion in the matter.

By order

Thwaites

Asst

for Secretary

Dft Hcz 22/11/08 SW 22/11/08

List of enclosures

Copied by

Examined by

GPB—3,000—1-3-07

No. 7160 / 8+3

OFFICE OF THE REV. COMR: IN MYSORE,

Bangalore, 17th January 1910. 190—.

FROM

Rajakarya Pravina,
A. RANGASWAMI IYENGAR, ESQ., B. A., B. L.,
Revenue Commissioner in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General & Revenue Departments.

SIR,

With reference to your letter No.J.2236/Cts.197-07-1 dated 24th January 1908, inviting attention to Subject No.27 of the Representative Assembly of 1907 and calling for information as to the practice obtaining in several Districts with regard to the amount of fee demanded for Khetwar extracts, I have the honor to forward herewith the marginally noted letters* received from the Deputy Commissioners of Districts on the subject.

2. It will be seen that no uniform practice exists in the State as regards the fees levied for the grant of the extracts in question. Not only is the practice different in the several districts, but it is found to vary in different Taluks of the same District. It is very necessary that this should not be allowed to continue but definite and clear rules should be laid down for the guidance of the different offices.

3. In the first place, some of the reports shew that the question raised in the Representative Assembly has not been correctly understood. What the Members have complained about is regarding the stamp fees demanded under the Stamp Regulation for the grant of extracts of the Khetwar. This is, of course, entirely differe

from

* No.134 dated 14-9-1908 Hassan
" 868 " 16-4-1908 Shimoga
" 4474 " 29-4-1908 Kadur
" 6211 " 4-5-08 Chikballapur.
No. R.C.191 dated 7-9-08 Bangalore.
" 9137 " 28-5-08 Kolar
" 5490 " 25-3-08 Tumkur.
" 299 " 23/24 - 9-08 Mysore

from the scale of copying-fee which alone is dealt with in Rule 115 of the Land Revenue Rules. No question is raised about the rate of copying fee as provided in this Rule which should be strictly adhered to in all cases.

4 As regards the Stamp fees, it would apparently be unfair to demand separate fees on each Survey Number comprised in a Khate. An applicant may have several Survey numbers in his Khate and an application for an extract thereof must be considered liable to the payment of a single stamp fee irrespective of the number of Survey numbers comprised in it. Similarly, with regard to the extract of entries in Khetwar, of Survey numbers comprised in a single Khate. It may, however, be laid down in the case of applications for Khetwar extracts, that all the survey numbers comprised in the khate of the applicant should be distinctly stated so that the required references may be easily traced and the necessity for searches avoided. Unless the applicant furnishes this list, the preparation of the Khetwar extracts of all the Survey numbers comprised in a khate will involve much labour and loss of time for the Taluk Officials. In the case of such omission on the part of applicants searching fees will have to be levied in addition in accordance with the Rules.

5 If the Government approve of the above, orders may be issued accordingly and the act intimated to the Representative Members concerned.

I may add that the long delay is due to the file having been mislaid by the First Assistant Commissioner.

I have the honor to be,

Sir,

Your most obedient servant,

For Revenue Commissioner.

docket no 1908 2

5

From R. Doraiswami Iyengar Esq
Deputy Commissioner.
Tumkur District

To
A. Rangaswami Iyengar Esq BA BL
Revenue Commissioner in
mysore

Dated 25th March 1908

Despatched 27

Received

General No. 582

No. 581

Enclosure No.

19

With reference to the Revenue Commissioner's circular memorandum no 8006-13, dated 25/31st January 1908 & subject no 27 of the Dasara Representative assembly of 1907, has the honor to state that the practice obtaining in this district is that for a copy of Khetwar particulars of a survey number a fee of eight annas has to be paid along with the application which should bear a court-fee stamp of one anna. After the copy applied for is prepared, transcription fee as laid down in Rule 115 of

the Mysore Land Revenue Rules is levied.

2. What the Representative member suggests, however, is that in lieu of the Khetwar extract, the Khate extract might be supplied for production in courts. Each Khate extract, in cases where the Khate consists of more than one survey number, embodies in it details which cannot be generally supplied in one Khetwar extract, and will therefore be generally cheaper also. The suits in civil courts being only personal, it will be more useful to the interested parties to have the Khate extracts than the Khetwar extracts.

Undersigned is therefore of opinion that the suggestion of the Representative member may be adopted.

[signature]

Dy Commissioner

2/2

Letter No. 660.

Office of the Deputy Commissioner
Shimoga District.
Dated 16th April 1908.

From.

M. Narain Rao Esquire
Deputy Commissioner
Shimoga District.

To. A. Rangaswami Iyengar Esquire Ba. Bl.
Revenue Commissioner in
Mysore.

Sir.

With reference to your Circular memorandum No. 8006-13 dated 25/31st January 1908 requesting to report the practice obtaining in this District with regard to the amount of fee demanded for Khetwar extracts, I have the honor to state, that a fee of annas three for every hundred words is charged, in accordance with Section 115, para 2, Clause C of the Land Revenue

Revenue Rules. The undersigned is of opinion that the fee is a reasonable one.

I have the honor to be,
Sir,
Your most obedient Servant,

for Deputy Commissioner
Shimoga District

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE
BANGALORE.

1907-08
No. 13370
Date 4-5-08

From The Deputy Commissioner
Kadur District.

To The Revenue Commissioner
in Mysore

Dated 29-8
Despatched 1-5-08 } April 1908
Received May 08.

General No. 474.
No.

Enclosure No.

22

Reporting the practice obtaining
in the Kadur District with
regard to the amount of fee
demanded for Khetwar
entracts together with opinion
in the matter

Office of the Deputy Commissioner,
Kadur District.

Letter No 474 Dated Chikmagalur the 29th April 1908.

From.

K. R. Srinivasa Iyengar, Esquire M. A.,
Deputy Commissioner
Kadur District

To.

A. Rangaswami Iyengar, Esquire, B.A, B.L,
Revenue Commissioner in Mysore.

Sir,

In reply to your memorandum no: 8006-13 SS dated 25/31st January 1908 in the matter of issuing Khetwar extracts in Taluk offices, I have the honor to state that from the reports of the Amildars, it would appear, that applications for Khetwar extracts are rarely made, while those for Khata extracts are more general. When, however, applications for Khetwar extracts are received, the practice obtaining in all the Taluks, except Tarikere, is reported to be that a fee of 8 annas is charged for a copy of the particulars of each

Survey

Survey number, Whereas in the Tarikere Taluk, the particulars of all Survey Numbers pertaining to the Khate of a single individual and lying in the same village are given for the same amount of fee. I am of opinion that the practice obtaining in Tarikere Taluk is more reasonable and might be adopted em-phasising the restriction that the Survey numbers in a Khate, the copy of whose particulars is applied for, should all lie in the same village.

23

I have the honor to be,

Sir,

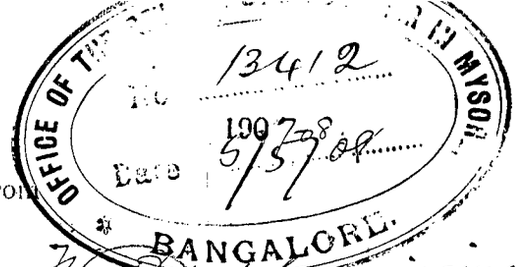
Your most obedient Servant,

Abdulrahman Sahib

Dy Deputy Commissioner

Kadur District

dw



No. 1341/2

Date 5/5/08

From

The Deputy Commissioner

To Chitaldrug District.

The Revenue Commissioner

in Mysore. Bangalore.

Dated

Despatched 4 } May 1908.

Received

General No. 621

No.

Enclosure No.

Furnishing opinion in respect of fee demanded for khatha extracts referred to in Bellary Representative Association's Subject No. 27 of 1907.

SS

24

Lett. No 621

Office of the Deputy Commissioner
Dated, Chitaldrug, 4th May 08

From.

M. Chengalt Chetty Esquire B.A.
Deputy Commissioner
Chitaldrug District

To Raja Kaja Ravina
A. Rungasawmy Iyengar Esquire B.A. B.L.
Revenue Commissioner in Mysore
Bangalore.

Sir,

In reply to your Circular No. 8006-13 55
of 25/31 January 1908 calling for my report with Opinion in respect of fee demanded for Khetwar Extracts, referred to in D.R.A Subject No. 27 of 1907, I have the honor to State that there is diversity of practice in this District regarding the amount of fee recovered for these Extracts.

In the taluks of Chitaldrug, Holalkere, Jagalur and Hosadurga and also in the Sub Taluk of Harihar, these extracts are being granted on a paper with an only 8 anna Court fee stamp affixed, irrespective of the number of Survey Numbers which a khata may contain, while in the Taluks of Davangere, Chellakere and Molakal-muru, an additional Stamp of 8 annas for each Survey Number is levied.

In the Hiriyur Taluk, the extract of all Survey Numbers Contained in a khata is given on one paper with an 8-anna Court Fee Stamp affixed thereon, if the number of words of the Extract is 360. If the number Exceeds this limit, an additional Stamp of 8 annas is taken for each additional 360 words or fraction thereof.

None of the Amildars quotes

Any authority for the practice in vogue in his Taluk. I am of opinion that Khetwar extracts, embracing all the Survey Numbers in the holding of a khatedar in one village may be granted, if a Court-fee Stamp of annas 8 only is presented exclusive of Copying and other charges.

I have the honor to be,
Sir,
Your most obedient Servant

Deputy Commissioner
Chitaldrug District.

OFFICE OF THE REVENUE COMMISSIONER IN MYSORE
No. 14582
1908
Date 30-3-08

From

C. Srikantesa Iyengar, Esq., B.A.B.L.,

Deputy Commissioner, Kolar, District

To

The Revenue Commissioner in Mysore

Bangalore.

Dated 28 3 May 08

Despatched 28 5

Received

General No. 9137

No. 590

Enclosure No. Nil

Proposing levy of fee as fees for Khatevas extracts.

22

2b

Letter No. 9137/590

14

Deputy Commissioner's Office,
Kolar District,
Dated 28th May

From

C. SRIKANTESVARA AIYAR ESQR., B.A. B.L.,
Deputy Commissioner, Kolar District.

To A. Rangaswami Iyengar Esqre. B.A. B.L.,
Revenue Commissioner in Mysore
Bangalore.

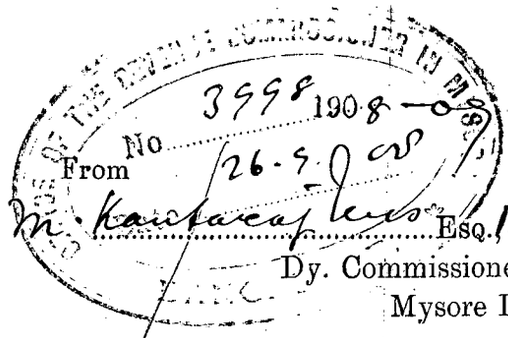
Sir,

With reference to your circular memorandum No. 8006-13 dated 25th January 1908, calling for a report as to the practice obtaining in this District with regard to the Amount of fee demanded for Khetwar Extracts, I have the honour to state that the practice is not uniform in the Taluks of this District. Under Clause C of rule 2 of Section 115 of the Land Revenue Rules the fee to be levied for Khetwar extracts which are in a tabular form, is twice the amount of fees levied for copies granted under Clauses a & b of the said rule. As it will work as a hardship to levy a fee of 8 annas for each Survey number, I would recommend fee not exceeding

~~Executive~~ that the provision contained
in the Rules quoted above regarding
the grant of Copies may be followed
with a maximum limit of a fee
of 8 annas in the case of Khetemi
Extracts relating to an individual
in one particular village.

I have the honour to be
Sir
your most obedient Servant
Assistant
for Deputy Commissioner
Kolar District

27



No. 3998 1908

From No. 26-9-08

M. Kantaraj Urs Esq. B.A.
Dy. Commissioner,
Mysore District.

To

A. Rangaswamy Iyengar Esq., B.A.B.L.
Revenue Commissioner
in Mysore.

Dated 23rd
Despatched 26th } September

Received

General No. 2997
No.

Enclosure No. Nil

Subject.

Submitting opinion in the matter of fee demanded for Khet-wari by tenants in this District

SS.
12/26/9/08

28

No.
Enc. No.

OFFICE OF THE Deputy Commissioner
MYSORE DISTRICT.

Letter No C.S. Dated Mysore Camp 23rd September 1908.

To
A. Rangaswami Iyengar, B.A., B.L.,
Esq.,
REVENUE COMMISSIONER IN MYSORE.
Bangalore

SIR,

With reference to your Circular Memo No. 8006-13 of 31st January 1908 calling for a report with my opinion on the practice obtaining in this District with regard to the amount of fee demanded for Khatwar extracts, I have the honor to state that the Amildars of this District who were consulted in the matter report that a fee of 3 annas is charged for every 100 words in accordance with Sec: 115 of the Land Revenue rules and that if an authenticated copy is applied for, a further sum of annas 8 in the

shape

shape of the Court Fee stamp is demanded for every 360 words.

This stamp is required to be attached for every authenticated extract, no matter whether the khata contains only one Survey number or more. No separate stamp is demanded for each Survey No in a khata.

The existing rules cause no hardship and require no alteration.

I have the honor to be, Sir,
Your obedient servant

Asstt Commissioner,
Nipani Division

SECRETARIAT
29 SEP 1908
Date 1908-09.

Ms No 134 Judl 29/9/08

18

From
P. R. W. Nethersall, Esquire
Deputy Commissioner
Kaisan district.

To
A. Rangaswamaiengar Esq
B.A. B.L.
Revenue Commissioner
in Mysore,
Bangalore

Dated 14th September 1908
Despatched
Received
General No. 134
No. R
Enclosure No.

S.S. The submission of the draft rules - No 180 Judl Comm 17.9.08

Sir,

Adverting to your circular memorandum No. 8006-13 dated 25th/31st January 1908, inviting reference to para 1 of Dasara Representative Assembly Subject No. 27 of 1907 regarding the production in Civil Courts of Khetwar extracts for orders of attachment and calling for a report in regard

to the practice obtaining in this District together with an expression of my opinion in the matter, I have the honour to State that from the reports of Assistant Commissioners and Amildars, it is ascertained that, for a copy of Khetwar extract, a fee of 8 annas is being levied for each Survey number. The Deputy Amildar of Alur Sub taluk reports that when an application was received for a copy of Khetwar extract during the year 1906-07 a fee of 8 annas was recovered for a copy of two Survey numbers as both the numbers were in the name of a single individual.

2:— From the reports of the Amildars of the District it is observed that applications for Khetwar

Khetwar extracts are fewer in number than those for Khate extracts. In accordance with Schedule I (number 8) of the Mysore Court fees Regulation an ad valorem fee of 8 annas is required to be levied for a copy of an account pertaining to a Revenue office. It is therein provided that for every three hundred and sixty words or fraction thereof, a fee of annas eight has to be recovered.

31 3:— In Khetwars every Survey number will be separately Entered and treated as a separate account requiring a fee of annas Eight for a copy of Each Survey number. Whereas for an Extract of Khate the same fee of annas Eight is recovered whatever may be the

Number

Number of Survey Numbers com-
-posing a Khatè. This Concession
Cannot well be extended to
the former instance as heavy
work is entailed by way of
search and to enter particulars
of all Survey Numbers in one
Khatè as the Numbers will be
separately entered in the Khetwar
at different places. As per your
Circular Number 6337-44 dated
6th December 1906, the Khetwar
extracts are directed to be pre-
-pared from Taluk Copies of
Khétwars and furnished to the
applicants within two days of
the date of application. The party
will be compensated for payment
of the fee (which may appear heavy
in comparison with that paid
for

for an extract of Khate) by the promptness with which he gets the Copy of the Khetwar applied for. There being every facility for an applicant to secure at less cost Khate's extracts by applying Earlier (as these have to be obtained from the Shanbhogues accounts) no change in the existing scale of fees appears necessary.

I have the honour to be,
Sir,
Your most obedient servant,

W. W. Merall

Deputy Commissioner,
Hassan District.

32 mm

3233
S.G. 1908
OFFICE OF THE ENGINEER MYSORE

From

The Dy. Commissioner
Bangalore Dist.

To

The Acg. Commissioner
in Mysore

Dated 7th

Despatched 8th September 1908.

Received

General No.

R. C No. 191

Enclosure No. 3

His No. 8006. 13 of 31.1.08

Reports on the
practice prevailing
in the District re the
amount of fee demanded
for Khatavar extracts together
with his opinion in the matter.

SS.
If all replies
have been rec'd
report may be
called for.
KR
8/9/08

Sub
Reports from Hassan & Mysore
are still due.
KR
9/9/08

33

Letters. Office of the Deputy Commissioner, Bangalore District.

R.C.No.171. Dated Bangalore, 7th September 1908.

From E-3.

B. J. Kumaraswamy Naik Esquire B.A.,

Deputy Commissioner , Bangalore District.

To

A. Rangasawmy Aiyangar Esquire B.A.,B.L.,

Revenue Commissioner in Mysore, Bangalore.

Sir,

Adverting to your Circular Memo No.8006-13 of the 31st January 1908, calling for a report on Dasara Repre--sentative Assembly Subject No.27 of 1907, regarding the prac--tice prevailing in the District with regard to the amount of fee demanded for Kaetwar Extracts together with my opinion in the matter, I have the honor to enclose,in original, the reports received from the three Sub-Divisional Assistant Com--missioners, from which it will be seen that no uniformity of practice prevails in the matter of levying stamp fees for extracts from the Khetwar Register; - ~~As~~-fee is levied in Nelamangala Taluk; but in some Taluks eight annas is levied for each of the extracts of several Survey Numbers in the Khetwar Register though included in a single khate, while in others only one fee of eight annas is taken for all the Survey Numbers included in an individual khate. The latter arrangement seems fair and may be adopted in all the Taluks, provided the applicant furnishes in his application for copy to the Taluk Office, the number of the several Survey Numbers included in an individual khate to enable the Taluk --- Officials to prepare a consolidated extract of the said survey numbers from the Taluk Khetwar Register.

I have the honor to be,

Sir,

Your most obedient servant,

Deputy Commissioner,

Bangalore District.

B.N.S.

Docket No 1021 9/3/1908 2 & 20.67 of 08 1907-08. 10/3/08

From H. Chandy Esquire B.A.
Senior Assistant Commissioner
Doddballapur Division

To D. Devaraj Urs Esquire
Deputy Commissioner
Bangalore District.

Dated 9th March 1908.

Despatched

Received

General No. 1021.

No.

Enclosure No.

With reference to his no. R 2577-79 dated 6th February 1908, re fees charged for Khata and Khelwar extracts, has the honor to state that in Devanhally no fees are collected, in Nelamangala, a fee of 8 annas for each application is collected, and in Doddballapur a fee of 8 annas for all the entries in a Khata.

It appears to be desirable that a fee of 8 annas should be recovered for extracts of each Khata, but that if ... Khelwar entries are

314

10/3/08
Revert
Put up refer.
Reminder & other Acs

reminder issued on 23/3/08

Docket No 110 of 1908

1908.

From C Rama Rao Esquire
Senior Assistant Commissioner
To Bangalore Du.
B. J. Komaraswamy Naick Esquire
Dy Commissioner
Dated 4th Bangalore.
Despatched 4 August 1908
Received
General No. 110
No.

Enclosure No. 3.

Adverting to his docket No Q 71 Dated 10th July 1908 in re his practice obtaining in this Sub division with regard to the amount of fee demanded for Khetwar extracts &c, has the honor to state that the practice of levying a fee of Eight annas for each Survey number in a Khata does not exist in any of the Taluks of this Sub division for each extract applied for from any one account book whether it be Khata, Kurdi or Khetwar a fee of eight annas is reported to be levied. This practice is

35

Accts
attend
5-8-08

Rev & Dm
Refer
A.C.

Correct and in Conformity with the rules.

Reports marginally noted received from the Amildars are herein enclosed for reference.

In the Bangalore Taluk the Copying fee levied appears to be 1½ annas per 100 words for extracts from Vichales, Khetwars &c. The proper fee appears to be 3 annas under Clause c Rule 115 of the Land Revenue Rules.

Rule Division Received
Bangalore Division

Bangalore Dy Amildars no. 1203 dy 12-3-08
Hoskote Do. No. 557 dy 19-2-08
Anekal Do. No 478 dy 19-2-08

ಸಿಸಿ 1203

ಹ|| ಬೆಂಗಳೂರು ತಾಲ್ಲೂಕು ಇಇಥಾರ್ಜ್ 1 ಅಸಿಸ್ಟೆಂಟ್ ಕಮೀಷನರ್

ಫಾ 1209 ಮೆ|| [illegible] ಸಾಹೇಬರವರ ಜನಾಬಿಗೆ.

ಬೆಂಗಳೂರು ತಾಲ್ಲೂಕು ಅಮಲ್‌ದಾರ್ ಮೆ| [illegible] ಯವರ ಇತ್ತಿಲ್ಲಿ.

[illegible]

ದಿನಾಂಕ 13.3.08

[illegible]

REVENUE DEPARTMENT
Date 2.1.1908
No. 838
BANGALORE DISTRICT.

[illegible]

Circular Memorandum No 8006-13 dated 25/31 January 1908 from the Revenue Commissioner in Mysore to the Deputy Commissioner, Bangalore District

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Re inviting attention to Subject no 27 of the Dasara Representative Assembly Proceedings of 1907, regarding the production of Vakeels for admittance in Civil Courts. para 1 of the Summary of discussion and reply of Government thereto has the honor to request the Deputy Commissioner to be so good as to report the practice obtaining in their District with regard to the amount of fee demanded for Vakeels esclarks together with their opinion in the matter.

37

Bangalore District
Deputy Commissioners Office
Dated 6/7 February 1908

R No. 2547-79

Copy of the above is forwarded to the Assistant Commissioner Bangalore Sub Dn for information. He is requested to ascertain and report the practice obtaining in his Sub Division with regard to the amount

of the demanded for Veterinary extracts

together with his opinion in the matter.

(Signed) Illegible

for the Commissioner

Bangalore district

ಸಂ 338/ [illegible]

[illegible]

ದಿನಾಂಕ 7.2.08

Subdn Office

Bangalore

Urgent

Shri

The Asst

Sheriff Police Magistrate

Ist Mr. 11/2/08.

ಸಂ 557/ [illegible]

Circular Memorandum No 8006-13 dated
28/31 January 1908 from the Revenue Commissioner
in Mysore to the Deputy Commissioner Bangalore
District

Drawing attention to Subject No 29
of the Report of Representative Assembly
Proceedings of 1907, regarding the production
of Vakils bonds for attachment in
Civil Courts para 1 of the Summary of
discussion and reply of Government thereto
has the honor to request the Deputy Commissioner
to be good enough to report the practice
obtaining in their District with regard to
the amount often demanded for Vakils
bonds together with their opinion in the
matter

39 Bangalore District
Deputy Commissioners Office
Dated 6th February 1908
R No 2577-79

Copy of the above is forwarded
to the Assistant Commissioner Bangalore
Sub-division for information. He is requested
to ascertain and report the practice
obtaining in the Sub-division with regard

to the amount of fee demanded from
Shekhar Exchange, Cubbon Circle will be in order
in the matter.

(Signed) Thimmaiah Chetty
For Administrator
Bangalore Circle

FROM
No. 564

ಸಂ 338/C

ಕ್ಷೇತ್ರದ ಆಡಳಿತಾಧಿಕಾರಿಯವರ ಕಛೇರಿ
ಬೆಂಗಳೂರು ವೃತ್ತ

ದಿನಾಂಕ 7.2.08

ಇವರಿಂದ
ಆಡಳಿತಾಧಿಕಾರಿ
ಬೆಂಗಳೂರು ವೃತ್ತ

TO
No. 478

11.2.08

ದಿನಾಂಕ 22.2.08

REVENUE DEPARTMENT
Date
3-6-08
1858
DISTRICT

Letter No 1497 7-7-1908 1907-08

From T. Chokkanna Esquire,
Subdivision Officer,
Closepet.

To
B. J. Kumaraswamiah Esqr.
Offg Commissioner
Bangalore

Dated 17th July 1908
Despatched
Received
General No.
No.

Enclosure No. 3

1. With reference to your No. 2577-79 dated 6th January 1908 calling for report on the practice obtaining in the Taluks of this Subdivision in the matter of the fees demanded for khet-mar extracts, I have the honor to enclose herein the reports of the Amildars of Magadi, Kankanhalli and the 2nd Amildar of Closepet. A reply from the Amildar of Channapatna has not

RHM 19-7-08

Refer to AD.

41

been received to an order from this office calling for a like report from him.

2. From these reports it will be seen that fees are being collected in the Kan- Kanhalli Taluk and the Gazetted sub Taluk under para 115 of the Rules under the Land Revenue Code. fees

3. From clause 2(c) of the above rule it will be seen that the fee for each extract from the Khatedar will be only 3 annas if the extract does not exceed 100 ~~words~~ in Kannada which it never or rarely does. I think this is a fair charge and need not be disturbed.

I have the honorable,

Sir,

Your most obedt servt,

[signature]

Sub Division Officer,

Gazetted Dy.

38

Fno 726

Fno 765

Dy clerk.

42

596

22/3/08

ting attention to Subject no 27 of the Dasara Representative Assembly proceedings of 1907, regarding the production of Khetwar extracts for attachment in civil courts para 1 of the Summary of discussion and reply of Government there to; has the honour to request the Deputy Commissioners to be so good as to report the practice obtaining in their districts with regard to the amount of fee demanded for Khetwar

Proceedings of the Government of H.H. the Maharaja of Mysore.

Read -

Subject No.27 of the Proceedings of t Representative Assembly of 1907, regarding the stamp fee leviable (under the Court Fees Regulation) on Khetwar extracts to be produced in Civil Courts in execution ~~Rxxxx~~ proceedings, and the reply of Government thereto.

(Here enter para (1) of the discussion and the reply of Government thereto).

(2) Letter No.7160 dated the 17th January 1910 from the Revenue Commissioner in Mysore, submitting letters from the Deputy Commissioners of Districts on the same subject with his own opinion in the matter.

ORDER THEREON. - No. J 1784-94 dt 13/12/10.
Dated Cl: 197-07-3

Government agree with the Revenue Commissioner and are of opinion that it is unfair to demand separate stamp fees in regard to each survey number comprised in a Khate. They accordingly lay down the following rules:-

(i) In the case of an application for

the grant of an extract from the Khate, a single stamp fee only should be levied on each such extract relating to the Khate of a single person irrespective of the number of survey numbers comprised in it;

(ii) Similarly, an extract of entries in the Khetwar of one or more survey numbers whether belonging to one or more occupants, is liable to the payment of a single stamp fee;

Provided that, if in the latter case, the survey numbers are not given in the application, a separate searching fee shall be levied in accordance with the Revenue Rules.

Print
Translate

C S Balasundaram Dy.

Offg. Secy. to Govt.

To,

The Rev. Commr. in Mysore.

The Registrar, Ch. Court of Mysore

The Commr. of Stamps.

The Dy. Comr. Hassan Distt., for communication to the R.A.member who mooted the subject.

The Dy. Commrs. of other Dists.

46

Proceedings of the Government of His Highness the Maharaja of Mysore, Judicial and Legislative (Courts), dated 13th December 1910.

READ—

(1) Subject No. 27 of the Proceedings of the Representative Assembly of 1907, regarding the stamp fee leviable (under the Court Fees Regulation) on khetwar extracts to be produced in Civil Courts in Execution Proceedings, and the reply of Government thereto.

Summary of discussion.—On a representation last year concerning the delay on the part of shanbhogs in supplying extracts of Revenue accounts for production before Civil Courts for attachment of properties, etc., orders were passed for the supply of extracts from taluk copies of the khetwar. For a copy of khetwar particulars, a fee of eight annas has to be paid for each survey number in a khate. In lieu thereof, particulars of all survey numbers in a khate may be supplied on payment of eight annas.

Reply of Government.—Noted for consideration.

(2) Letter No. 7160, dated the 17th January 1910, from the Revenue Commissioner in Mysore, submitting letters from the Deputy Commissioners of Districts on the same subject, with his own opinion in the matter.

No. J. 1785-94—CTS. 197-07-3, DATED BANGALORE, THE 13TH DECEMBER 1910.

ORDER THEREON.—Government agree with the Revenue Commissioner and are of opinion that it is unfair to demand separate stamp fees in regard to each survey number comprised in a khate. They accordingly lay down the following rules:—

(i) In the case of an application for the grant of an extract from the khate, a single stamp fee only should be levied on each such extract relating to the khate of a single person irrespective of the number of survey numbers comprised in it;

(ii) Similarly an extract of entries in the khetwar of one or more survey numbers, whether belonging to one or more occupants, is liable to the payment of a single stamp fee; provided that, if, in the latter case, the survey numbers are not given in the application, a separate searching fee shall be levied in accordance with the Revenue Rules.

C. S. BALASUNDARAM IYER,
Offg. Secy. to Govt., Gen. & Rev. Depts.

To—The Revenue Commissioner in Mysore.
The Registrar, Chief Court of Mysore.
The Commissioner of Stamps.
The Deputy Commissioner, Hassan District, for communication to the Representative Assembly Member who mooted the subject.
The Deputy Commissioners of other Districts.

Exd.—C. V.